UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ROBERT GALBRAITH and MELISSA MOSKO, DANA McWHITE and KENNETH McWHITE, ANTWANETT WILLIAMS, RAHWA GHIRMATZION, REBECCA WHIPPLE and NOLAN WHIPPLE, SUSAN GILLICK, FELICIA RICHARDSON and RICHARD RICHARDSON, and ABDUKADIR ABDULLAHI, on behalf of themselves and their respective minor children, and on behalf of a class of all persons similarly situated,

Civil Action No.: 23-CV-00814

Plaintiffs,

v.

CITY OF BUFFALO, BUFFALO WATER BOARD, BUFFALO MUNICIPAL WATER FINANCE AUTHORITY, BYRON W. BROWN, in his official capacity as Mayor of Buffalo, OLUWOLE A. McFOY, in his official capacity as Chairman of the Buffalo Water Board, VEOLIA WATER NORTH AMERICA-NORTHEAST, LLC, and VEOLIA NORTH AMERICA, LLC,

Defendants.

DECLARATION OF MATTHEW D. INGBER

Pursuant to 28 U.S.C. § 1746, I, Matthew D. Ingber, hereby declare:

1.   I am admitted *pro hac vice* in this Court and a partner at the law firm Mayer Brown LLP, counsel for Defendants Veolia Water North America-Northeast LLC and Veolia North America, LLC (collectively, "Veolia").

2.   I respectfully submit this declaration in support of Veolia's memorandum of law in opposition to Plaintiffs' motion for remand.

3.   Attached as Exhibit A is a true and correct copy of the putative class action complaint filed by Abdukadir Abdullahi, Melissa A. Mosko, and Robert C. Galbraith in the

Supreme Court of New York, Erie County, on January 30, 2023, captioned *Abdullahi v. City of Buffalo*, No. 801476/2023 (Sup. Ct. Erie Cnty.).

4.   Attached as Exhibit B is a true and correct copy of the docket report for *Abdullahi v. City of Buffalo*, No. 801476/2023, available on the New York State Courts Electronic Filing ("NYSCEF") website. This docket report was viewed and captured from NYSCEF on December 22, 2023.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 22, 2023
        New York, New York

                                                        /s/ *Matthew D. Ingber*
                                                        Matthew D. Ingber